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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/799,567 | 03/11/2004 | Christian Lorenz | TRW(ASG)7023 | 7772 |
| 26294 | 7590 | 07/03/2006 | EXAMINER | |
| TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P. 1300 EAST NINTH STREET, SUITE 1700 CLEVEVLAND, OH 44114 | | | ROSENBERG, LAURA B | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3616 | |

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------|---------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/799,567 | LORENZ ET AL. | |
| | Examiner | Art Unit | |
| | Laura B. Rosenberg | 3616 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 10, 11 and 13 is/are rejected.
- 7) ☒ Claim(s) 7, 9 and 12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>6/17/04; 5/10/04</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

1. Claims 1 and 8 are objected to because of the following informalities: "the interior" should be change to --an interior-- (claim 1, line 9; claim 8, line 5). Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear what applicant means by the phrase "upset in axial direction" in lines 2-3.
4. Claim 10 recites the limitation "the mounting flange" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Haesaert et al. (6,106,002). Haesaert et al. disclose a gas bag module (for example, including #1) able to be used with a motor vehicle steering wheel, gas bag module comprising:

- Gas bag (for example, including #14)
- Gas generator (for example, including #6) mounted so as to be capable of “swinging”
- Generator carrier (for example, including #2)
- Means (for example, including #17) for bracing the gas bag on the generator carrier (can be seen in figures 1, 2)
- Elastically deformable, in relation to a central axis of the gas bag module, encircling sealing element (for example, including #8), characterized in that the sealing element is fastened by its free edge portions directly or indirectly to the gas generator and to the generator carrier (can be seen in figures 1, 2), respectively, and in that a middle section of the sealing element, which is free before a filling of the gas bag, is deflected by the pressure occurring in an interior of the gas bag on filling of the gas bag, so that the middle section comes directly or indirectly in abutment with a support surface (for example, including upper surface of #2; deflection can be seen in figure 2)
- Gas generator is at least partially supported in the gas bag module by the sealing element (can be seen in figures 1, 2)

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- Sealing element is constructed in the manner of a cylinder (annularly surrounds a cylindrical housing #7 of the generator, thus it is constructed "in the manner of a cylinder") and is "upset in axial direction" (for example, can be seen in figure 2)
- Free edge portion of the sealing element is fastened to a mounting flange (for example, including upturned portion of #8 attached to #7, or including side wall of #7) of the gas generator
- Support surface is formed on a section of the generator carrier (for example, upper surface of generator carrier #2)

Examiner notes that while the embodiment shown in figures 1 and 2 has been pointed out, this is only an example, and the embodiments of figures 3 and 4 may also read on applicant's claimed invention.

7. Claims 1, 2, 4-6, 8, 10, 11, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Adkisson et al. (6,176,511). Adkisson et al. disclose a gas bag module (for example, including #10) able to be used with a motor vehicle steering wheel (column 2, lines 38-44), gas bag module comprising:

- Gas bag (for example, including #16)
- Gas generator (for example, including #14) mounted so as to be capable of "swinging"
- Generator carrier (for example, including #12)
- Means (for example, including #42, 44) for bracing the gas bag on the generator carrier (can be seen in figures 1-3)

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- Elastically deformable, in relation to a central axis of the gas bag module, encircling sealing element (for example, including #50), characterized in that the sealing element is fastened by its free edge portions directly or indirectly to the gas generator and to the generator carrier (can be seen in figures 1-3), respectively, and in that a middle section of the sealing element, which is free before a filling of the gas bag, is deflected by the pressure occurring in an interior of the gas bag on filling of the gas bag, so that the middle section comes directly or indirectly in abutment with a support surface (for example, including lower surface of back wall #32 of generator carrier #12; deflection can be seen in figure 3)
- Gas generator is at least partially supported in the gas bag module by the sealing element (can be seen in figures 1-3)
- Free edge portion of the sealing element is fastened to a mounting flange (for example, including side wall of gas generator) of the gas generator
- Support surface is formed on a section of the generator carrier (for example, lower surface of back wall #32 of generator carrier #12)
- Middle portion of the sealing element is constructed in a wave-form and projects between the gas generator and the support surface (can be seen in figures 1-3)
- Gas generator is deflected by the pressure occurring in an interior of the gas bag in filling of the gas bag so that the gas generator is pressed against the support surface formed on the generator carrier (can be seen in figure 3), the sealing element being provided between the gas generator and the support surface (can be seen in figures 1-3)

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- Sealing element is fastened on the support surface (for example, via #42, 44)
- Several segments (for example, including ribs #54, 56, 58, 60 of body #52) of an elastically deformable material are provided, distributed over the periphery of the gas generator, which are fastened directly or indirectly to the gas generator and to the generator carrier and by which the gas generator is at least partially supported in the gas bag module (for example, including figures 1-3 and columns 3-4)

Examiner notes that while the embodiment shown in figures 1-3 has been pointed out, this is only an example, and the embodiments of figures 4-11 may also read on applicant's claimed invention.

Allowable Subject Matter

8. Claims 7, 9, and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Grunau et al. and Bowers et al. disclose a gas bag module including a gas generator that is capable of "swinging".

Enders and Adomeit disclose a gas bag module including a bendable support plate.


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Durre, Varcus et al., Xu, Lovell et al., Hauer, Heindl, Back et al., and Sauer disclose a gas bag module including an elastically mounted gas generator.

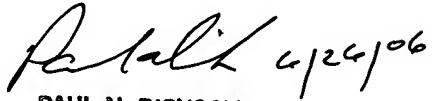
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura B. Rosenberg whose telephone number is (571) 272-6674. The examiner can normally be reached on Monday-Friday 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Laura B Rosenberg
Patent Examiner
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